

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                                    |   |                        |
|------------------------------------|---|------------------------|
| PATRICK BROSMER,                   | ) |                        |
|                                    | ) |                        |
| Petitioner,                        | ) |                        |
|                                    | ) |                        |
| vs.                                | ) | Case No. 4:03CV198 HEA |
|                                    | ) |                        |
| DAVE DORMIRE and                   | ) |                        |
| JEREMIAH “JAY” NIXON, <sup>1</sup> | ) |                        |
|                                    | ) |                        |
| Respondent.                        | ) |                        |

**OPINION, ORDER**

This matter is before the Court on the petition of Missouri State prisoner, Patrick Brosmer, for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court referred this matter to United States Magistrate Judge Lewis M. Blanton for a report and recommendation on all pretrial matters pursuant to 28 U.S.C. § 636(b). On February 24, 2006, Judge Blanton filed his Order and Recommendation that the petition of Patrick Brosmer for habeas corpus relief be denied and that a Certificate of Appealability should not be issued in this case. To date, no objections to the recommendation have been filed by either party.

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<sup>1</sup> The Attorney General of the State of Missouri is a proper party Respondent, because Petitioner is challenging present and future sentences in this action. *See* Rule 2(b), Rules Governing Section 2254 proceedings in the United States District Courts.

After careful consideration, the Court will adopt and sustain the sound and thorough reasoning of Magistrate Judge Blanton as set forth in his Report and Recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that the petition of Patrick Brosmer for habeas corpus relief is denied;

**IT IS FURTHER ORDERED** that a Certificate of Appealability shall not issue in this case.

Dated this 8th day of March, 2006.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", is written above a horizontal line.

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE